

LAW OFFICES OF SCOTT L. TEDMON
A Professional Corporation
SCOTT L. TEDMON, CA. BAR # 96171
717 K Street, Suite 227
Sacramento, California 95814
Telephone: (916) 441-4540

Attorney for Defendant
ANDRES GARCIA LUGO

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ANDRES GARCIA LUGO, et al.,

Defendants.

Cr. No. S-03-0082 EJG

STIPULATION AND
ORDER

RE: STATUS CONFERENCE

The United States of America, through Assistant U.S. Attorney Mary L. Grad, and defendant Andres Garcia Lugo, through his counsel Scott L. Tedmon, hereby stipulate and agree as follows:

1. The indictment charges defendant Andres Garcia Lugo with one count of 21 U.S.C. §§ 846, 841(a)(1) - Conspiracy to Distribute and Possess with Intent to Distribute Methamphetamine and Cocaine. Additionally, the indictment charges defendant Andres Garcia Lugo with two counts of 21 U.S.C. § 843(b) - Use of a Communication Facility.

2. A status conference date is currently set for December 2, 2005, at 10:00 a.m before United States District Judge Edward J. Garcia. No trial date is set at this time.

3. The government has recently provided defense counsel with 694 pages of discovery along with CD's of wire interception recordings. After reviewing some of the discovery provided by the government and discussing the matter with the defendant, defense counsel needs additional time to complete his review of the discovery, conduct necessary pre-trial investigation as well as determine what pre-trial motions will be filed, if any. Further, it is anticipated the government will be

1 providing some additional discovery to the defense. Finally, counsel for the government and counsel
2 for defendant Andres Garcia Lugo have met and conferred regarding a possible resolution in the
3 case. Additional time is necessary for the parties to confer in an effort to resolve the case by way
4 of a plea agreement.

5 4. Based on the foregoing, counsel for the government and counsel for defendant Andres
6 Garcia Lugo request that the present status conference date be continued and a new status conference
7 date be set for January 13, 2006 at 10:00 a.m. This date has been approved by Colleen Lydon.

8 5. Counsel for the government and counsel for defendant Andres Garcia Lugo stipulate that
9 time be excluded through January 13, 2006, the date of the status conference, under the Speedy Trial
10 Act for need of counsel to prepare pursuant to 18 U.S.C. §3161(h)(8)(B)(iv), Local Code T4.

11 Finally, Scott L. Tedmon has been authorized by counsel for the government to sign this
12 stipulation on their behalf.

13 **IT IS SO STIPULATED.**

14 DATED: November 29, 2005

McGREGOR W. SCOTT
United States Attorney

15 /s/ Mary L. Grad
16 MARY L. GRAD
Assistant U.S. Attorney

17 DATED: November 29, 2005

LAW OFFICES OF SCOTT L. TEDMON

18 /s/ Scott L. Tedmon
19 SCOTT L. TEDMON
Attorney for Defendant Andres Garcia Lugo

20
21 **ORDER**

22 GOOD CAUSE APPEARING and based upon the above stipulation, it is hereby ordered that
23 a status conference is set for January 13, 2006 at 10:00 a.m., before the Honorable Edward J. Garcia.
24 Based upon the above stipulation, it is further ordered that time is excluded under the Speedy Trial
25 Act for need of counsel to prepare pursuant to 18 U.S.C. §3161(h)(8)(B)(iv), Local Code T4.

26 **IT IS SO ORDERED.**

27 Dated: November 29, 2005

/s/ Edward J. Garcia
EDWARD J. GARCIA
United States District Court